

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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FILE COPY

STATE OF WISCONSIN  
BEFORE THE EXAMINING BOARD OF ARCHITECTS,  
PROFESSIONAL ENGINEERS, DESIGNERS AND LAND SURVEYORS

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IN THE MATTER OF DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	FINAL DECISION
MADISON MADISON INTERNATIONAL-	:	AND ORDER
AMMANN AND WHITNEY, INC.,	:	
RESPONDENT	:	

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The State of Wisconsin, Examining Board of Architects, Professional Engineers, Designers and Land Surveyors, having considered the above-captioned matter and having reviewed the record and the Proposed Decision of the Hearing Examiner, makes the following:

ORDER

NOW, THEREFORE, it is hereby ordered that the Proposed Decision annexed hereto, filed by the Hearing Examiner, shall be and hereby is made and ordered the Final Decision of the State of Wisconsin, Examining Board of Architects, Professional Engineers, Designers and Land Surveyors. Let a copy of this order be served on the respondent by certified mail.

A party aggrieved by this decision may petition the board for rehearing within twenty (20) days after service of this decision pursuant to Wis. Stats. sec. 227.12. The party to be named as respondent in the petition is Madison Madison International-Ammann and Whitney, Inc.

A party aggrieved by this decision who is a resident of this state may also petition for judicial review by filing the petition in the office of the clerk of the circuit court for the county where the party aggrieved resides within thirty (30) days after service of this decision. A party aggrieved by this decision who is not a resident of this state must file the petition for judicial review in the office of the clerk of circuit court for Dane County. A party aggrieved must also serve the board and other parties with a copy of the petition for judicial review within thirty (30) days after service of this decision pursuant to Wis. Stats. sec. 227.16. The party to be named as respondent in the petition is the State of Wisconsin, Examining Board of Architects, Professional Engineers, Designers and Land Surveyors.

Dated this 21 day of October, 1983.

Carl W. Birks

STATE OF WISCONSIN  
BEFORE THE EXAMINING BOARD OF ARCHITECTS,  
PROFESSIONAL ENGINEERS, DESIGNERS & LAND SURVEYORS

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IN THE MATTER OF THE DISCIPLINARY  
PROCEEDINGS AGAINST

MADISON MADISON INTERNATIONAL-  
AMMANN AND WHITNEY, INC.,

PROPOSED DECISION

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The parties to this proceeding for the purposes of Wis. Stats.  
sec. 227.16 are:

Madison Madison International-Ammann  
and Whitney, Inc.  
735 North Water Street, #536  
Milwaukee, Wisconsin 53202

State of Wisconsin Examining Board of  
Architects, Professional Engineers,  
Designers & Land Surveyors  
1400 East Washington Avenue, Room 288  
P. O. Box 8936  
Madison, Wisconsin 53708

Department of Regulation & Licensing  
Division of Enforcement  
1400 East Washington Avenue, Room 183  
P. O. Box 8936  
Madison, Wisconsin 53708

On September 15, 1983 the hearing examiner received a motion to dismiss the complaint filed in the above-captioned matter from Mr. Steven M. Gloe, attorney for complainant. Attached to Mr. Gloe's motion was a letter dated April 23, 1983, but indicated as received by the Department of Regulation & Licensing on August 26, 1983, in which the vice president for administration of the firm of Madison Madison International indicates that the respondent firm has not been in existence since December, 1981, and expressing a desire to voluntarily surrender respondent's license.

Based upon the motion filed and other documents of record herein, the examiner recommends that the Examining Board of Architects, Professional Engineers, Designers & Land Surveyors adopt as its final decision the following findings of fact, conclusions of law and order.

FINDINGS OF FACT

1. Madison Madison International-Ammann and Whitney, Inc. (respondent) is duly certified to practice engineering by certificate of authorization issued by the Board on June 18, 1979.

2. On August 11, 1983 complainant filed his complaint in this matter alleging that respondent had failed to timely file a listing of all licensed employees in responsible charge of engineering being practiced in Wisconsin through respondent, as required by Wis. Stats. sec. 443.08(3)(a).

3. On some date between April 23, 1983 and August 26, 1983, respondent, in a letter dated April 23, 1983 notified the Department of Regulation & Licensing that respondent corporation has not been in existence since December, 1981. Respondent's letter also expresses the wish to voluntarily surrender their license.

4. Complainant filed its motion to dismiss the proceedings herein and for an order accepting voluntary surrender of respondents certificate of authorization on September 13, 1983.

#### CONCLUSIONS OF LAW

1. The Examining Board of Architects, Professional Engineers, Designers & Land Surveyors has jurisdiction in this matter pursuant to Wis. Stats. sec. 443.11.

2. The Examining Board of Architects, Professional Engineers, Designers & Land Surveyors has authority to accept the voluntary surrender of a certificate of registration pursuant to Wis. Stats. secs. 443.08 and 443.11.

#### ORDER

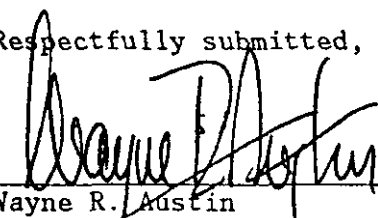
NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of the certificate of registration of Madison Madison International-Ammann and Whitney, Inc. be, and hereby is, accepted.

#### OPINION

The examiner presumes that no explanation is required by way of support of the recommended disposition. It would be difficult to conceive of any public health, safety and welfare objective served by further pursuing disciplinary action against a corporation no longer in existence.

Dated at Madison, Wisconsin this 21<sup>st</sup> day of September, 1983.

Respectfully submitted,

  
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Wayne R. Austin  
Hearing Examiner

WRA:kcb  
121-036